

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:17-CV-336-D

MARIE A. BECTON, )  
Plaintiff, )  
v. ) ORDER  
ANDREW M. SAUL, )  
Commissioner of Social Security )  
Defendant. )

On July 7, 2017, Marie Becton (“Becton” or “plaintiff”) filed a complaint against the Commissioner of Social Security<sup>1</sup> (“Commissioner” or “defendant”) [D.E. 1]. Becton sought the reversal of a survivor’s benefit determination and \$950,000.00 in damages. See id. at 5. On October 10, 2017, defendant moved to dismiss for lack of subject-matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1) [D.E. 12]. On October 17, 2017, Becton moved for entry of default [D.E. 14] and on October 31, 2017, for summary judgment [D.E. 15]. On January 15, 2018, this court denied Becton’s motion for entry of default and motion for summary judgment [D.E. 17]. On March 13, 2018, Becton moved for relief from this court’s judgment [D.E. 18]. On June 14, 2018, Becton filed a notice of interlocutory appeal with the United States Court of Appeals for the Fourth Circuit [D.E. 19]. On June 26, 2018, this court granted defendant’s motion to dismiss and denied Becton’s motion for relief [D.E. 22, 23]. On September 17, 2018, the Fourth Circuit affirmed this court’s order and dismissed Becton’s appeal [D.E. 24, 25]. On November 20, 2018, Becton filed a petition

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<sup>1</sup> Under Federal Rule of Civil Procedure 25(d), the court substitutes Andrew M. Saul for Nancy A. Berryhill as Commissioner of Social Security. See Fed. R. Civ. P. 25(d).

for a writ of certiorari to the United States Supreme Court [D.E. 27]. On February 19, 2019, the United States Supreme Court denied Becton's petition for a writ of certiorari [D.E. 28]. On February 3, 2020, Becton filed a petition for a writ of mandamus to the United States District Court for the Eastern District of North Carolina [D.E. 29]. On February 12, 2020, Becton supplemented her motion [D.E. 30]. On March 27, 2020, this court denied Becton's motion for a writ of mandamus [D.E. 31]. On June 3, 2020, Becton filed a request for repeal [D.E. 32].

The court has reviewed the entire record. Plaintiff's motion [D.E. 32] is baseless and is DENIED. The case remains closed.

SO ORDERED. This 6 day of July 2020.



JAMES C. DEVER III  
United States District Judge